

To the Members of the California State Assembly:

I am returning Assembly Bill 2275 without my signature.

My Administration is firmly committed to ensuring equal employment opportunities for anyone interested in public service with the State of California and that is why my Administration issued Executive Order S-6-04 in March of this year which clearly sets forth the State's employment opportunity policies.

In a recent court decision, *Connerly v. State Personnel Board*, the Third District Court of Appeals, invalidated specified sections of the State Civil Service Affirmative Action Program as unconstitutional. However, the sections that provide for data collection and reporting were not found unconstitutional and were not invalidated. Accordingly, under both state and federal law, state agencies have a responsibility to maintain statistical information on the composition of their workforce, and state agencies are required by federal law to identify racial, gender and ethnic under-representation in their workforce. I fully expect that all state agencies will comply with this responsibility and maintain meaningful information on the composition of the state workforce.

I would consider legislation that repeals those provisions of law that have been judicially invalidated. I encourage the State and Consumer Services Agency to work with the proponents of this legislation to craft a measure that will eliminate the invalid statutory provisions, but does not impose additional reporting and recordkeeping requirements.

Sincerely,

Arnold Schwarzenegger